

**ONE HUNDRED AND FOURTEENTH LEGISLATIVE DAY
TUESDAY, APRIL 29, 2003**

/s/ BEN YSURSA
Secretary of State

House of Representatives

The House convened at 11 a.m., the Speaker in the Chair.

Roll call showed 68 members present.
Absent and excused -- Bolz, Sali. Total -- 2.
Total -- 70.

Prayer was offered by Chaplain Jim Hardenbrook.

The Pledge of Allegiance was led by Jonathan Sater, Page.

Approval of Journal

April 29, 2003

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have read and approved the House Journal of the One Hundred and Thirteenth Legislative Day and recommend that same be adopted as corrected.

FIELD(18), Chairman

Mrs. Field(18) moved that the report be adopted. Seconded by Mrs. Boe. Report adopted.

**Consideration of Messages from the
Governor and the Senate**

THE OFFICE OF THE GOVERNOR
EXECUTIVE DEPARTMENT
BOISE, IDAHO

CERTIFICATE OF APPOINTMENT

KNOW ALL MEN, by these Presents that Douglas R. Jones, State Representative, District 23, House Seat B, State of Idaho, pursuant to the provisions of Section 59-917, Idaho Code, has nominated Mary Liz Jones, of Filer, Idaho, to perform the duties of this office temporarily as Acting State Representative.

NOW, THEREFORE, I, DIRK A. KEMPTHORNE, Governor of the State of Idaho, by virtue of the authority vested in me by Section 59-917, Idaho Code, do hereby appoint Mary Liz Jones, Acting State Representative, District 23, House Seat B, State of Idaho, for a term commencing on April 29, 2003, and continuing until the incumbent shall resume the performance of the duties or a vacancy occurs in such office.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Idaho.

Done at Boise, the Capital of Idaho, this 28th day of April in the year of our Lord two thousand and three, and of the Independence of the United States of America, the two hundred and twenty-seventh year.

/s/ DIRK A. KEMPTHORNE
Governor

The Certificate of Appointment was ordered filed in the Office of the Chief Clerk.

The Speaker announced the oath of office had previously been administered to Mrs. Jones.

April 28, 2003

Mr. Speaker:

I return herewith enrolled **H 415**, as amended in the Senate, as amended in the Senate, which has been signed by the President.

WOOD, Secretary

Enrolled **H 415**, as amended in the Senate, as amended in the Senate, was referred to the Judiciary, Rules, and Administration Committee for delivery to the Governor.

April 28, 2003

Mr. Speaker:

I return herewith **H 454** which has passed the Senate.

WOOD, Secretary

H 454 was referred to the Judiciary, Rules, and Administration Committee for enrolling.

Report of Standing Committees

H 317, as amended in the Senate, held at the Desk Monday, April 28, 2003, was filed in the Office of the Chief Clerk.

April 29, 2003

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have transmitted enrolled **H 412**, **H 413**, **H 414**, and **H 411** to the Governor at 9:35 a.m., as of this date, April 28, 2003.

FIELD(18), Chairman

April 29, 2003

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have transmitted enrolled **H 410**, **H 418**, **H 419**, **H 403**, as amended, and **H 422** to the Governor at 3:40 p.m., as of this date, April 28, 2003.

FIELD(18), Chairman

April 29, 2003

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have transmitted enrolled **HJM 12** to the Secretary of State at 4:03 p.m., as of this date, April 28, 2003.

FIELD(18), Chairman

There being no objection, the House advanced to the Eighth Order of Business.

**Introduction, First Reading, and Reference
of Bills and Joint Resolutions**

**HOUSE BILL NO. 455
BY REVENUE AND TAXATION COMMITTEE
AN ACT**

RELATING TO TAXATION; AMENDING SECTION 63-2501, IDAHO CODE, TO APPLY THE CIGARETTE TAX TO USE OR CONSUMPTION OTHER THAN CIGARETTES SOLD ON INDIAN RESERVATIONS FOR CONSUMPTION BY TRIBAL MEMBERS; AMENDING SECTION 63-2506, IDAHO CODE, TO APPLY THE CIGARETTE TAX TO ALL SALES EXCEPT TO MEMBERS OF THE RESERVATION'S GOVERNING TRIBE ON AN INDIAN RESERVATION, TO ESTABLISH A DEDUCTION METHOD AGAINST CIGARETTE TAXES FOR THE EXEMPTION AND TO MAKE A TECHNICAL CORRECTION; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

H 455 was introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

There being no objection, the House advanced to the Tenth Order of Business.

Second Reading of Bills and Joint Resolutions

HCR 32, H 427, H 428, H 429, H 430, H 431, H 432, H 433, H 434, H 435, H 436, H 437, H 438, H 439, H 440, H 441, H 442, H 443, H 444, H 445, H 446, H 447, H 448, H 449, and H 450, by Appropriations Committee, were read the second time by title and filed for third reading.

H 452, by Revenue and Taxation Committee, was read the second time by title and filed for third reading.

H 383, as amended in the Senate, by Education Committee, was read the second time by title and filed for third reading.

Third Reading of Bills and Joint Resolutions

Mr. Denney moved that the House recess until 3:30 p.m. Seconded by Ms. Jaquet. Motion carried.

Whereupon the Speaker declared the House at recess until 3:30 p.m.

RECESS

Afternoon Session

The House reconvened at 3:30 p.m., Mr. Tilman in the Chair.

Roll call showed 65 members present.

Absent and excused -- Crow, Denney, Ridinger, Roberts, Mr. Speaker. Total -- 5.

Total -- 70.

Prior to recess, the House was at the Eleventh Order of Business.

Third Reading of Bills and Joint Resolutions

Mr. Moyle asked unanimous consent that the remaining bills on the Third Reading Calendar retain their places for one Legislative Day. There being no objection, it was so ordered.

There being no objection, the House returned to the Eighth Order of Business.

**Introduction, First Reading, and Reference
of Bills and Joint Resolutions**

**HOUSE BILL NO. 456
BY APPROPRIATIONS COMMITTEE
AN ACT**

RELATING TO THE APPROPRIATION FOR THE PUBLIC SCHOOLS DIVISION OF TEACHERS FOR FISCAL YEAR 2004; PROVIDING FOR EXPENDITURES FOR THE PUBLIC SCHOOLS DIVISION OF TEACHERS; APPROPRIATING GENERAL FUND MONEYS FOR TRANSFER TO THE PUBLIC SCHOOL INCOME FUND; APPROPRIATING FUNDS TO THE EDUCATIONAL SUPPORT PROGRAM/DIVISION OF TEACHERS FOR FISCAL YEAR 2004; AMENDING SECTION 33-1004A, IDAHO CODE, TO PLACE A CAP ON THE GROWTH OF EXPERIENCE AND EDUCATION MULTIPLIER FOR INSTRUCTIONAL STAFF; PROVIDING MONEYS FOR THE UNEMPLOYMENT INSURANCE PROGRAM; DIRECTING THAT UP TO \$654,000 BE DISTRIBUTED FOR MASTER TEACHER AWARD PAYMENTS; PROVIDING MONEYS FOR THE IMPLEMENTATION OF THE FINAL PHASE OF ACHIEVEMENT STANDARDS; PROVIDING DIRECTION REGARDING THE EXPENDITURE AND DISTRIBUTION OF \$1,000,000 FOR EMPLOYMENT AND TRAINING FOR WORKING WITH CHILDREN WITH DISABILITIES; DIRECTING THAT \$500,000 BE ALLOCATED FOR TRAINING TO SERVE THE NEEDS OF GIFTED AND TALENTED STUDENTS; DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE.

**HOUSE BILL NO. 457
BY APPROPRIATIONS COMMITTEE
AN ACT**

APPROPRIATING MONEYS FOR THE IDAHO SCHOOL FOR THE DEAF AND THE BLIND FOR FISCAL YEAR 2004; LIMITING THE NUMBER OF FULL-TIME EQUIVALENT POSITIONS; REAPPROPRIATING CERTAIN UNEXPENDED AND UNENCUMBERED BALANCES; AUTHORIZING FUND DEPOSITS; DECLARING AND EMERGENCY AND PROVIDING AN EFFECTIVE DATE.

H 456 and **H 457** were introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

There being no objection, the House advanced to the

Sixteenth Order of Business.

Adjournment

Mr. Moyle moved that the House adjourn until 9 a.m., Wednesday, April 30, 2003. Seconded by Ms. Jaquet. Motion carried.

Whereupon the Speaker Pro Tem declared the House adjourned at 4:18 p.m.

BRUCE NEWCOMB, Speaker

ATTEST:

PAMM JUKER, Chief Clerk